

ARKANSAS COURT OF APPEALS
NOT DESIGNATED FOR
PUBLICATION
SAM BIRD, JUDGE

MOON DISTRIBUTORS, INC.; GLAZER'S
WHOLESALE DISTRIBUTORS OF
ARKANSAS, INC.; CENTRAL DISTRIBUTORS,
INC.; AND ARKANSAS BEVERAGE
RETAILERS ASSOCIATION, INC. APPELLANTS

V.

ARKANSAS DEPARTMENT OF FINANCE
AND ADMINISTRATION ABC DIVISION;
ROBERT S. MOORE, DIRECTOR; SCOTT L.
BEAU; WYNCROFT, LLC; POST WINERY,
INC.; CHATEAU AUX ARC, ET AL; AND
MOUNT BETHEL WINERY, ET AL.

APPELLEES

CA06-1308

MARCH 21, 2007

APPEAL FROM THE PULASKI
COUNTY CIRCUIT COURT, THIRD
DIVISION, [NO. CV06-348]

HON. JAMES M. MOODY, JR., JUDGE

MOTION FOR STAY GRANTED

Appellants Moon Distributors, Inc., Glazer's Wholesale Distributors of Arkansas, Inc., and Arkansas Beverage Retailers Association, Inc., (movants) have requested the court to grant a second stay of the briefing schedule in this case. The first motion was premised upon the movants' anticipation that the General Assembly may adopt amendments to statutes that contain preferences for native Arkansas wineries, thereby mooted the issues in this case. In our unpublished per curiam opinion issued on January 17, 2007, we granted the motion and stayed the briefing schedule until March 15, 2007.

In their second motion to stay, movants have submitted a status report of bills now pending before the House and the Senate that might make further briefing and action

unnecessary as to some or all of the issues presented in this appeal. Movants also state that it appears likely that the regular session will be extended, with a likely date for adjournment *sine die* of April 27, 2007, rather than the currently anticipated date of March 30, 2007. They conclude that final action by the General Assembly is not expected until after March 15, 2007, the date on which initial briefs in this matter are currently due.

In order to avoid unnecessary cost and effort on the part of all parties, movants request that the court stay the briefing schedule until thirty days after the date that the General Assembly adjourns *sine die*. Movants propose that the court direct them to report on the status of this matter as of April 13, 2007, fourteen days after the date currently anticipated for recess of the General Assembly. Movants state that the attorney general has no objection to the stay of the briefing schedule or the requested extension of time.

We grant the motion for stay of briefing schedule. The due date of appellants' briefs is stayed until thirty days after the date on which the General Assembly adjourns *sine die*, and movants are instructed to report to the court regarding the status of this matter on April 13, 2007.

GRIFFEN, GLOVER, and HEFFLEY, JJ., not participating.